

## **The First 50 Women in Idaho Law**

### **ALBERTA MORTON PHILLIPS**

**August 15, 1941  
(1916 – 1997)**



**Alberta Morton Phillips** was born on February 12, 1916 in Moscow, Idaho. Her elementary education took place in a one-room rural schoolhouse in Cornwall and Blaine, Idaho, and graduated from Moscow High School as Valedictorian in 1933. From the age of 10 until she graduated from college, she served as the church organist in Blaine.

After high school, Phillips attended the University of Idaho where male friends and professors praised her for her analytical mind and encouraged her to consider entering law school. Phillips laughed when she remembered that part of her interest in the law came from a rebellion against being pigeonholed as a future teacher, as many other bright women of her time had been.

Phillips worked her way through college, completing two years of undergraduate work in political science. Initially, she thought about pursuing a career in theology, but decided, instead, to attend the University of Idaho College of Law. She began law school in the fall of 1935, but was unable to finish her first semester due to illness. By the spring of 1936 when she had recovered, Phillips was restless and applied to Kinman Business School, a secretarial school in Spokane, Washington, with the plan of working her way through law school as a secretary. After graduating from Kinman, Phillips worked until 1938 in Spokane for the Wallace Brothers Studebaker dealership, making approximately \$60 per month.

Phillips reapplied to and was accepted to begin law school at the University of Idaho in the fall of 1938, the only woman in her eleven-person law school class. She worked as a cook's helper on local farms during summer harvests and received a stipend as a library assistant during the school year – a job made possible through the National Youth Administration. Phillips also saved money by living with her brothers in an apartment off campus, the only woman allowed to do so by the Dean of Women, Permeal French. Her parents would bring foodstuffs in from the farm to keep them going. Despite her hectic schedule, Phillips kept her standing as the top student in her law school class.

On her first day of classes at the law school, Phillips received what she described as a “real raspberry.” She had been told by two older male classmates that she was in the wrong department, and should be over in the Home Economics Department, rather than the law school, learning things that would make her a good wife for someone. But, she did not let the teasing daunt her, and joked that when the two students later became secretary of the Idaho State Bar and a law professor she “forgave them” for it. Phillips worked hard in law school and received the William E. Borah Award from Phi Alpha Delta legal fraternity for having the highest scholastic average of her law school class, although at the time she was ineligible for membership because she was a woman.

In 1941, Phillips became the second woman to graduate from the University of Idaho College of Law (Mary Shelton was the first woman in 1923, although she was never admitted to the Idaho bar). Later that same day, she and George Phillips were married. They moved to Pocatello and studied for the bar exam.

On August 15, 1941, Phillips was admitted to practice as the fourteenth woman in Idaho. Both she and her husband were offered jobs by A.J. Priest, an Idaho law school alumnus and partner in the Wall Street law firm of Reed & Priest in New York City. They accepted the offer and moved to New York, but Alberta decided not to work and started raising a family.

Not long after their first child was born, the United States entered World War II and George Phillips was called to serve in the armed forces. The family returned to Idaho and Alberta and her baby daughter lived with her parents on their farm while George was shipped to the Pacific.

Attendance at Idaho's law school dropped to a low of eight in 1944, the smallest number since the First World War. The school also lost most of its faculty, with only one person, Dean William Brockelbank, keeping the doors open until 1945. Brockelbank asked local members of the Idaho State bar to serve as faculty during the shortage of law professors. It was then that Phillips received what she described as a "panic call" from Brockelbank, asking her to help fill a teaching position at the University of Idaho College of Law. The only proviso of the teaching offer – as dictated by the President of the University Harrison Dale – was that Phillips could not teach criminal law, because it would be improper for a woman to address male students about rape cases. She, therefore, was asked to teach contracts. Though it was hard to leave her year-old daughter with her mother, Phillips grew to love teaching and especially enjoyed working with the faculty. In so doing, she became the first woman to teach law at the University of Idaho.

Though Dean Brockelbank asked her to continue teaching, Phillips left the College of Law once her husband returned from the war and resumed her family and professional life in Pocatello, where she gave birth to five more children. She and her husband rented a couple of rooms in a building and soon fellow lawyer Lou Racine started a practice next door. Finding child care was nearly impossible, so Phillips chose to work at home and at night after the children were in bed, writing up wills and contracts. When her sixth child was two years old, Phillips went back to work full-time. It was not easy; her six children (three boys and three girls) came home for lunch because the school would not feed students who lived close by. Phillips constantly had to juggle her clients around a long lunch break (her children had differing lunch hours) and often had to pay triple childcare. After Phillips and her husband divorced in 1970 her schedule became even more difficult to juggle, but the children pitched in and became more self-sufficient.

Phillips concentrated her practice in the areas of probate and real estate law, which kept her free from the demanding schedule of trial work. Because of family demands, Phillips rarely attended state Bar meetings until 1968, when she became president of the Sixth District Bar Association. She had served as the association's secretary for two years, and declined when they asked her to serve in that capacity again. She joked to the nominating committee that there was no opportunity to move up in the organization. The committee took her comments seriously and Phillips was asked to run for president a year later. Phillips was the first woman president of the Pocatello Estate Planning Council and was active in the PTA and the American Association of

University Women, which, in 1993, named her their “Woman of Distinction.” She was especially proud to be a member of the AAUW Book Club.

Phillips never hesitated to speak out on issues important to her. She joked about the fact that she became well known at both the state and local bar meetings for speaking out against gender specific language used to describe lawyers (as males) in speeches and written material of the state Bar and in proposed legislation. Phillips said no one paid much attention to the issue until the 1980s, as women joined the Bar in greater numbers and became more active in the organization. Phillips said she lived by words provided to her by her mother when she left for Pocatello after the war – “go and don’t look back.”

During the Vietnam War era, Phillips was active in anti-war activities in Idaho, including draft counseling and non-violent protests. Returning to her early interests in theology and religion, she spent many years working for the peace and justice activities of the United Church of Christ.

Phillips retired from the active practice of law on January 1, 1986. At the time of her retirement, Phillips was an associate with the firm now known as Service, Gasser & Kerl in Pocatello.

After retiring, Phillips remained active in civic and human-rights causes, including membership in the PEO Sisterhood, first chair of the Peacemaking Committee of the First Presbyterian Church in Pocatello, and serving on the United Church Board for Homeland Ministries, its budget, publication, building and executive committees. Study and discussion of the U.S. Constitution and Bill of Rights was a favorite activity.

In 1990, Phillips moved to Utah to be closer to her family. She passed away at her home in Layton, Utah, on April 14, 1997 at the age of 81. Her tombstone in Moscow, Idaho, carries the words from the New Testament, “Blessed are the Peacemakers.”